

Congress of the United States

Washington, DC 20515

1189

November 12, 2014

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Wheeler:

Nine years ago, the Federal Communications Commission (FCC) adopted a policy statement espousing four principles designed to “ensure that broadband networks are widely deployed, open, affordable, and accessible to all consumers[.]” By any metric, the goals of these principles are being met and advanced by the private sector today without formal FCC rules. Recent proposals have suggested that the FCC can use its authority under Title II of the Communications Act to create legally enforceable rules to regulate Internet access. We believe this is beyond the scope of the FCC’s authority and would defy the plain reading of the statute. The Commission has already tried – and failed, twice – to convert these principles into legally enforceable rules. Call it “net neutrality” or call it “the Open Internet,” the result remains the same: two trips to court, two FCC losses, and nine years of uncertainty for the Internet.

Now, as the Commission considers for a third time how to craft enforceable “Open Internet” rules, you are being asked by some to reclassify broadband under Title II of the Communications Act. This isn’t sound policy and would almost certainly mean another trip for the FCC to the Court of Appeals. Put simply, reclassification would require the Commission to find that Internet access is a telecommunications service, not an information service. These are not matters of opinion but distinctions made in the text of the Communications Act, the plain language of which precludes regulation of the Internet under Title II.

The legal and policy infirmities of reclassification have been well documented at the Commission. Reclassification would require the FCC to reverse nearly two decades of legally sound – and Supreme Court affirmed – reasoning that Internet access services are explicitly *not* Title II services. Justifying this course change is no easy task under current law. Among other harms, reclassification would threaten the jobs and investment made possible by the broadband industry, which the Communications Workers of America and the NAACP state accounted for more than \$193 billion in capital investment and more than 270,000 jobs over the last three years. And, reclassification

would violate the plain language of section 230 of the statute, which makes it U.S. policy to “preserve the vibrant and competitive free market that presently exists for the Internet ... unfettered by Federal or State regulation[.]”

In adopting section 230, Congress acknowledged that many of the concepts contained in Title II of the Communications Act harken back to the monopoly-era telephone industry and have no bearing on the modern communications marketplace. Even advocates of reclassification recognize this fact and are calling for the Commission to use its forbearance authority to apply only part of Title II. Under this approach the Commission would still ignore the language of the statute and reclassify broadband, but in order to ameliorate some of the damage this would cause to the nation’s Internet economy, the Commission would then forbear from applying large parts of the law. Many proponents of forbearance suggest that this contortion will be an easy process, but the facts about forbearance do not support such a conclusion.

The Commission currently has 1,000 active rules that are based on Title II, occupying nearly 700 pages in the Code of Federal Regulations. The amount of time that the Commission would have to spend on forbearance activity would be staggering. On average, the Commission has spent more than a year considering each of the more than 140 forbearance petitions that have been filed. And of those 140 petitions filed since forbearance authority was added to the Communications Act in 1996, only half of the requests have been even partially granted. Forbearance is hardly the panacea that reclassification advocates claim.

Among the most challenging aspects of Title II for reclassification proponents is the fact that Title II *permits* discrimination. Section 202 of the Act prohibits “unjust and unreasonable discrimination” and by inference permits just and reasonable discrimination; this is an inconvenient fact for those proposing strict non-discrimination requirements on the Internet. Recently, Rep. Henry Waxman (D-CA), Ranking Member of the House Energy and Commerce Committee, offered a proposal that rightly recognizes the challenges of reclassification, but would attempt to circumvent these limits by forbearing from sections 201 and 202 of the Act. In his letter to the FCC, Mr. Waxman suggests that the Commission could use this approach to impose “bright-line rules” against paid-prioritization. Unfortunately, we believe there is no reading of the Act that permits a strict non-discrimination policy, not even Mr. Waxman’s proposal.

Forbearance can only be permitted in a narrow set of circumstances. Section 10(a)(1) of the Act states that, in order to forbear, the Commission must find that:

“enforcement of such regulation or provision is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that telecommunications carrier or telecommunications service are just and reasonable and are not unjustly or unreasonably discriminatory[.]”

The language of the forbearance standard mirrors that of sections 201 and 202 of the Act, and for good reason. Forbearance is a deregulatory tool to be used by the Commission where competition has supplanted the need for regulation. Mr. Waxman’s

proposal turns forbearance authority on its head, asking the Commission to forbear not because the regulations are not needed, but because he doesn't believe the statute is strong enough. We are concerned that this misguided approach would nullify Congress' express directive that the FCC be limited to regulating unjust and unreasonable discrimination, effectively bypassing the Commission's mandate under the Act.

In order to implement the proposed changes, the Commission would have to find that competition is robust enough to negate the need for FCC rules to prevent unjust and unreasonable discrimination, only to turn around and state that the marketplace has failed to the point that the FCC must intervene. These conclusions cannot be reconciled.

Additionally, Mr. Waxman's proposal would use section 706 of the Act to impose a bright-line non-discrimination rule. However, this would require one to accept that the FCC's ancillary authority *exceeds* its direct authority in contravention of decades of legal precedent. We assert that this approach is also unsupported in law.

Further, if the Commission attempts to apply only part of Title II, or apply Title II to only part of an Internet connection, the legal and policy flaws described above still exist. Title II cannot and should not be applied to broadband Internet access, including through a so-called "hybrid" approach to reclassification.

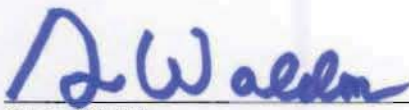
Given the significant legal barriers to reclassification and the uncertainty that yet another appeal of the FCC's rules would bring to the Internet, we strongly urge you to reject any such reclassification proposals. As you know, we are not alone in our concerns. In May, Rep. Gene Green led twenty Democratic Members of the House in a letter calling on the Commission to reject reclassification. We urge the Commission to heed our bipartisan concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fred Upton", written over a horizontal line.

Fred Upton
Chairman
U.S. House of Representatives
Committee on Energy and Commerce

John Thune
Ranking Member
U.S. Senate
Committee on Commerce, Science, and
Transportation

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Greg Walden
Chairman
U.S. House of Representatives
Subcommittee on Communications and
Technology

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Roger Wicker
Ranking Member
U.S. Senate
Subcommittee on Communications,
Technology, and the Internet



Roy Blunt
U.S. Senate
Committee on Commerce, Science, and
Transportation



Marco Rubio
U.S. Senate
Committee on Commerce, Science, and
Transportation



Kelly Ayotte
U.S. Senate
Committee on Commerce, Science, and
Transportation



Dean Heller
U.S. Senate
Committee on Commerce, Science, and
Transportation



Dan Coats
U.S. Senate
Committee on Commerce, Science, and
Transportation



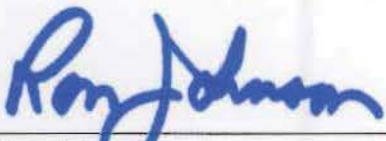
Tim Scott
U.S. Senate
Committee on Commerce, Science, and
Transportation



Ted Cruz
U.S. Senate
Committee on Commerce, Science, and
Transportation



Deb Fischer
U.S. Senate
Committee on Commerce, Science, and
Transportation



Ron Johnson
U.S. Senate
Committee on Commerce, Science, and
Transportation



Joe Barton
Chairman Emeritus
U.S. House of Representatives
Committee on Energy and Commerce



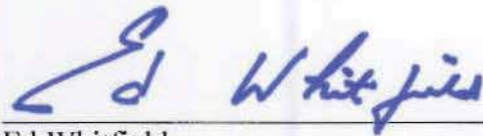
Marsha Blackburn
Vice Chairman
U.S. House of Representatives
Committee on Energy and Commerce



Robert Latta
Vice Chairman
U.S. House of Representatives
Subcommittee on Communications and
Technology



Ralph Hall
U.S. House of Representatives
Committee on Energy and Commerce



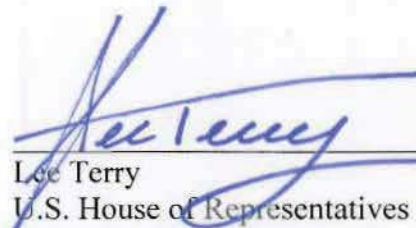
Ed Whitfield
U.S. House of Representatives
Committee on Energy and Commerce



John Shimkus
U.S. House of Representatives
Committee on Energy and Commerce



Joseph Pitts
U.S. House of Representatives
Committee on Energy and Commerce



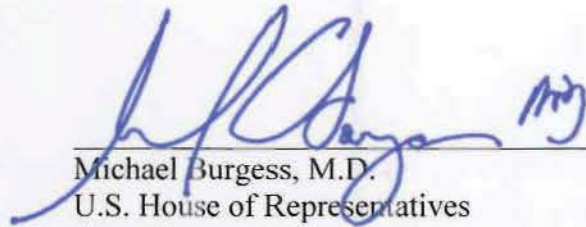
Lee Terry
U.S. House of Representatives
Committee on Energy and Commerce




Mike Rogers
U.S. House of Representatives
Committee on Energy and Commerce



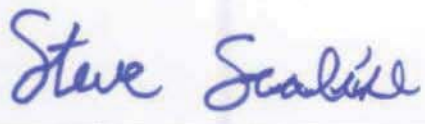
Tim Murphy
U.S. House of Representatives
Committee on Energy and Commerce



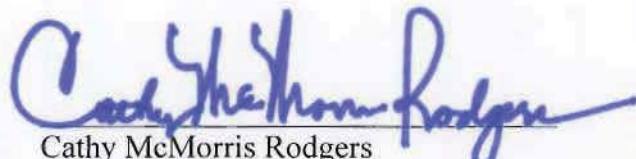
Michael Burgess, M.D.
U.S. House of Representatives
Committee on Energy and Commerce



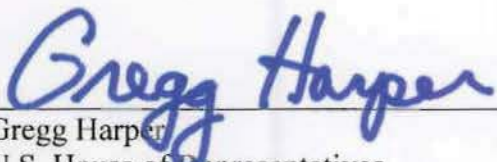
Phil Gingrey
U.S. House of Representatives
Committee on Energy and Commerce




Steve Scalise
U.S. House of Representatives
Committee on Energy and Commerce



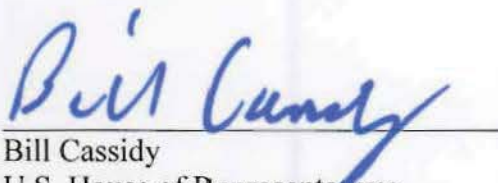
Cathy McMorris Rodgers
U.S. House of Representatives
Committee on Energy and Commerce




Gregg Harper
U.S. House of Representatives
Committee on Energy and Commerce




Leonard Lance
U.S. House of Representatives
Committee on Energy and Commerce



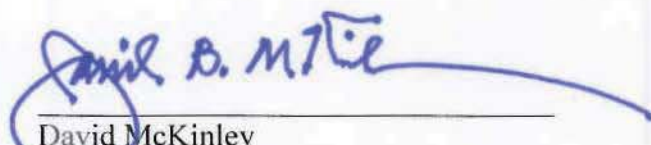
Bill Cassidy
U.S. House of Representatives
Committee on Energy and Commerce



Brett Guthrie
U.S. House of Representatives
Committee on Energy and Commerce



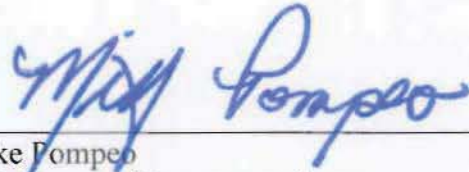
Pete Olson
U.S. House of Representatives
Committee on Energy and Commerce



David McKinley
U.S. House of Representatives
Committee on Energy and Commerce



Cory Gardner
U.S. House of Representatives
Committee on Energy and Commerce



Mike Pompeo
U.S. House of Representatives
Committee on Energy and Commerce




Adam Kinzinger
U.S. House of Representatives
Committee on Energy and Commerce



Morgan Griffith
U.S. House of Representatives
Committee on Energy and Commerce



Gus Bilirakis
U.S. House of Representatives
Committee on Energy and Commerce



Bill Johnson
U.S. House of Representatives
Committee on Energy and Commerce



Billy Long
U.S. House of Representatives
Committee on Energy and Commerce



Renee Ellmers
U.S. House of Representatives
Committee on Energy and Commerce



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Greg Walden
Chairman
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Walden:

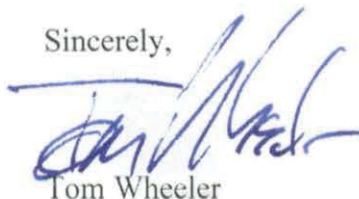
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As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to strong, reinstate, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

As you know, after the D.C. Circuit's decision struck down rules that prevented Internet Service Providers from blocking and discriminating against online content, the Commission sought comment on how best to reinstate these rules to protect consumers and innovators. We sought comment on using either or both of Section 706 of the Telecommunications Act and Title II of the Communications Act to protect what the court described as the "virtuous circle" of investment and innovation that fosters broadband deployment and protects consumers. I promised that in this process all options would be on the table in order to identify the best legal approach to keeping the Internet open.

I look forward to continuing to receive input from stakeholders, the public, members of Congress of both parties, and my fellow commissioners. Ten years have passed since the Commission started down the road towards enforceable Open Internet rules. We must take the time to get the job done correctly, once and for all, in order to protect consumers and innovators online successfully.

Sincerely,



Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton:

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Tom Wheeler



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OFFICE OF
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December 9, 2014

The Honorable John Thune
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
624 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Thune:

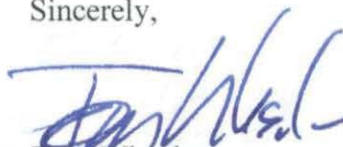
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Tom Wheeler



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December 9, 2014

The Honorable Roger Wicker
Ranking Member
Subcommittee on Communications, Technology, and the Internet
Committee on Commerce, Science, and Transportation
United States Senate
512 Dirksen Senate Office Building
Washington, D.C. 20510

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Kelly Ayotte
United States Senate
144 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Ayotte:

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Joe Barton
U.S. House of Representatives
2107 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Barton:

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Gus Bilirakis
U.S. House of Representatives
2313 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Bilirakis:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Marsha Blackburn
U.S. House of Representatives
217 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Blackburn:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Roy Blunt
United States Senate
260 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Blunt:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Tom Wheeler



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WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Michael Burgess
U.S. House of Representatives
2336 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Burgess:

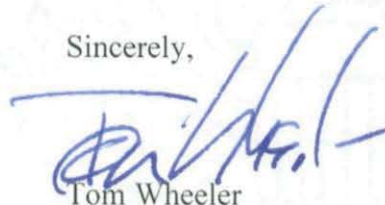
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Sincerely,



Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Bill Cassidy
U.S. House of Representatives
1131 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Cassidy:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Dan Coats
United States Senate
493 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Coats:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Ted Cruz
United States Senate
185 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Cruz:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Renee Ellmers
U.S. House of Representatives
426 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Ellmers:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Deb Fischer
United States Senate
825 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Fischer:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Cory Gardner
U.S. House of Representatives
213 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Gardner:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Sincerely,

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Phil Gingrey
U.S. House of Representatives
442 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Gingrey:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable H. Morgan Griffith
U.S. House of Representatives
1108 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Griffith:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Brett Guthrie
U.S. House of Representatives
308 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Guthrie:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Sincerely,

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Ralph Hall
U.S. House of Representatives
2405 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Hall:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Gregg Harper
U.S. House of Representatives
307 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Harper:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Dean Heller
United States Senate
361 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Heller:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Bill Johnson
U.S. House of Representatives
1710 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Johnson:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Ron Johnson
United States Senate
386 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Johnson:

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Adam Kinzinger
U.S. House of Representatives
1221 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Kinzinger:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Leonard Lance
U.S. House of Representatives
133 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Lance:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Bob Latta
U.S. House of Representatives
2448 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Latta:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a stylized flourish at the end.

Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 9, 2014

The Honorable Billy Long
U.S. House of Representatives
1541 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Long:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Sincerely,

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable David McKinley
U.S. House of Representatives
412 Cannon House Office Building
Washington, D.C. 20515

Dear Representative McKinley:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Cathy McMorris Rodgers
U.S. House of Representatives
203 Cannon House Office Building
Washington, D.C. 20515

Dear Representative McMorris Rodgers:

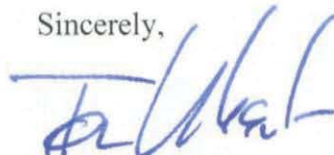
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Sincerely,



Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Tim Murphy
U.S. House of Representatives
2332 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Murphy:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Sincerely,

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Pete Olson
U.S. House of Representatives
312 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Olson:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Joe Pitts
U.S. House of Representatives
420 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Pitts:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Mike Pompeo
U.S. House of Representatives
107 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Pompeo:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Sincerely,

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Mike J. Rogers
U.S. House of Representatives
2112 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Rogers:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Sincerely,

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Marco Rubio
United States Senate
317 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Rubio:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Steve Scalise
U.S. House of Representatives
2338 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Scalise:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

As I have expressed since the D.C. Circuit's decision in the *Verizon* case earlier this year, I am committed to moving with dispatch to reinstate strong, enforceable rules to safeguard consumers and further promote investment and innovation. I believe that the Internet must remain an open platform for free expression, innovation, and economic growth. We cannot allow broadband networks to cut special deals to prioritize Internet traffic and harm consumers, competition, and innovation.

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Sincerely,

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Tim Scott
United States Senate
113 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Scott:

Thank you for writing to express your views regarding the reinstatement of rules that would preserve a free and Open Internet for all Americans. In your letter, you express concerns over the reclassification of broadband under Title II of the Communications Act. Your letter will be included in the record of this proceeding.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable John Shimkus
U.S. House of Representatives
2452 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Shimkus:

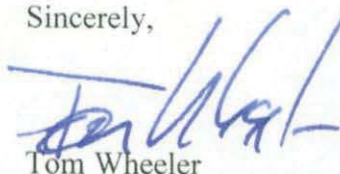
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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Lee Terry
U.S. House of Representatives
2266 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Terry:

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Sincerely,

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 9, 2014

The Honorable Edward Whitfield
U.S. House of Representatives
2184 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Whitfield:

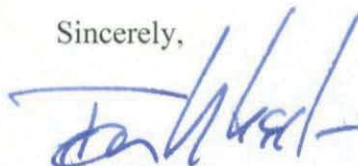
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Tom Wheeler